

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION -FLINT

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO.: 4:04-CR-50029-FL

vs.

HON. PAUL V. GADOLA
MAG. JUDGE WALLACE CAPEL, JR.

ISMAIL D. BAH,

Defendant.

ORDER OF DETENTION
PENDING REVOCATION PROCEEDINGS

The Defendant appeared before the Court on March 22, 2006, based upon a Petition and Warrant for violation of his conditions of supervised release, filed on February 28, 2006.

The Defendant is charged with violation of Special Condition Number 1 failing to abide by the conditions of his home confinement program by not returning to his home when required as well leaving and returning to his residence as he pleases without the permission of the Court. He is also charged with violation of Special Condition Number 5 by failing to appear at his substance abuse counseling appointments and by being discharged from that program. The Defendant is also charged with violation of Standard Condition Number 2 by failing to report to his probation officer and for not submitting monthly reports as required. Lastly, he is charged with violation of Standard Condition Number 7 for testing positive for the use of cocaine, codeine, and morphine.

The report of the Probation Officer in this matter indicates that the Defendant began his term of supervised release on March 4, 2005.

Based upon the information presented at the hearing, it appears that the Defendant has failed to comply with the terms of supervised release by attempting to defeat the purpose of the home

confinement program; failing to report to the probation officer as required; and for using illegal substances. I find that the Defendant has shown a flagrant disregard for the orders of the Court and appears un-willing to address his drug problems. It also appears that at the time of his arrest, the Defendant attempted to flee apprehension. I therefore find that he poses a risk of flight and a danger to the community by his behavior.

Accordingly, the Defendant shall be detained without bond in this matter pending further proceedings before the district court judge.

The Defendant is hereby remanded to the custody of the United States Marshal.

IT IS SO ORDERED.

DATED: March 23, 2006

**s/ Wallace Capel, Jr. _____
WALLACE CAPEL, JR.
United States Magistrate Judge**

CERTIFICATE OF SERVICE

I hereby certify that on March 23, 2006, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send such notification of such filing to the following: Mark C. Jones, AUSA, and I hereby certify that I have mailed by United States Postal Service/hand delivered the paper to the following non-ECF participants: David Koelzer, Esq., Federal Defender Office, 653 S. Saginaw, Ste. 105, Flint, MI 48502, United States Marshal, 600 Church St., Flint, Michigan 48502, Probation Officer, 600 Church St., Flint, Michigan 48502

s/ James P. Peltier
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